

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY APRIL 26, 2007

AMENDED IN ASSEMBLY APRIL 11, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1530

Introduced by Assembly Member Lieber

February 23, 2007

An act to add Section 105206 to the Health and Safety Code, relating to pesticide poisoning.

LEGISLATIVE COUNSEL'S DIGEST

AB 1530, as amended, Lieber. Pesticide poisoning.

Existing law establishes standards for the handling and use of pesticides and for determining the hazards posed by pesticides to worker safety. Existing law imposes various reporting requirements on physicians and local health officers when there are known or suspected instances of pesticide poisoning. Under existing law, worker reentry into areas treated by pesticides determined to be hazardous to worker safety may be restricted by whether pesticide residue levels on treated plants are determined by scientific analysis not to be a significant factor in cholinesterase depression or other health effects.

This bill would require a laboratory that performs cholinesterase testing on a specimen of human blood, with regard to determining pesticide residue levels for those purposes, to electronically report specified information on every person tested to the Office of Environmental Health Hazard Assessment, which would be required to ~~transmit~~ *share* the information ~~to~~ *in electronic or hard-copy format* with the Department of Pesticide Regulation and the Occupational

Health Branch and the Environmental Health Laboratory Branch of the State Department of Public Health. ~~The bill would also require the Office of Environmental Health Hazard Assessment to share this information, in an electronic format, with, the appropriate county agricultural commissioner, and the local health officer. The bill would authorize the appropriate local official to conduct followup investigations, as needed.~~ The bill would also impose other related reporting requirements and would require the Office of Environmental Health Hazard Assessment to maintain this information as a reporting system. The bill would also require the office to prepare an annual report on the cholinesterase testing program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 105206 is added to the Health and Safety
2 Code, to read:
3 105206. (a) A laboratory that performs cholinesterase testing
4 pursuant to Section 12981 of the Food and Agricultural Code or
5 Section 6728 of Title 3 of the California Code of Regulations on
6 a specimen of human blood drawn in California shall electronically
7 report the information specified in subdivision (b) on every person
8 tested to the Office of Environmental Health Hazard Assessment
9 (OEHHA). OEHHA shall manage this reporting system in
10 coordination with existing or evolving electronic reporting systems.
11 Alternate reporting methods may be prescribed for smaller
12 laboratories lacking the capability of electronic reporting. In these
13 cases the same information shall be transmitted by paper reports
14 to the receiving agency, which shall enter the data into the central
15 database. ~~OEHHA shall immediately transmit the reported~~
16 ~~information to the Department of Pesticide Regulation, and to the~~
17 ~~Occupational Health Branch and the Environmental Health~~
18 ~~Laboratory Branch in the State Department of Public Health.~~
19 ~~database.~~ OEHHA shall share this information, in an electronic
20 ~~or hard-copy format, as needed, with the Department of Pesticide~~
21 ~~Regulation, the Occupational Health Branch and the~~
22 ~~Environmental Health Laboratory Branch of the State Department~~
23 ~~of Public Health, the appropriate county agricultural commissioner,~~
24 ~~and the local health officer, who shall officer. The appropriate~~

1 *county agricultural commissioner and local health officer may*
2 *conduct followup investigations on an as needed basis.*

3 (b) The testing laboratory shall report all of the following
4 information in complying with subdivision (a):

5 (1) The test results in International Units per milliliter of sample
6 (IU/mL).

7 (2) The purpose of the test, including, but not limited to,
8 baseline, 30-day or periodic testing, pursuant to the requirements
9 of Section 6728 of Title 3 of the California Code of Regulations,
10 or evaluation of suspected pesticide illness.

11 (3) The name and gender of the person tested.

12 (4) The name, address, and telephone number of the health care
13 provider or medical supervisor that ordered the analysis.

14 (5) The name, address, and telephone number of the analyzing
15 laboratory.

16 (6) The accession number of the specimen.

17 (7) The time and date that the sample was collected from the
18 patient, and the time and date the analysis was performed.

19 (c) In addition, the testing laboratory shall report to OEHHHA;
20 ~~the State Department of Public Health, and the Department of~~
21 ~~Pesticide Regulation~~ other information in its possession or that
22 may come into its possession that directly relates to the
23 cholinesterase test or to the identity, location, medical management,
24 or environmental management of the person tested.

25 (d) The employer of a person tested pursuant to Section 6728
26 of Title 3 of the California Code of Regulations shall ensure that
27 the person receives a copy of the cholinesterase test results or any
28 recommendations from the medical supervisor within 14 days of
29 receiving the information.

30 (e) All information reported pursuant to this section shall be
31 confidential, as provided in Section 100330, except that OEHHHA
32 may share the information only with each of the other departments
33 and with local health officers for the purpose of surveillance, case
34 management, investigation, environmental assessment,
35 environmental remediation, or abatement with the appropriate
36 county agricultural commissioner and local health officer.

37 (f) ~~The State Public Health Officer~~ OEHHHA may assess a fine
38 up to two hundred dollars (\$200) per person per case against any
39 laboratory that knowingly fails to meet the reporting requirements
40 of this section.

1 (g) OEHHA may review the cholinesterase test results, in
2 consultation with the Department of Pesticide Regulation and the
3 State Department of Public Health, and may provide an appropriate
4 medical or toxicological consultation to the medical supervisor.
5 OEHHA may request additional medical information relevant to
6 the cholinesterase test results from the medical supervisor of the
7 person tested.

8 ~~(h) In consultation with the Department of Pesticide Regulation~~
9 ~~and the State Department of Public Health,~~ OEHHA shall prepare
10 an annual report on the cholinesterase testing program. The report
11 may evaluate the program's effectiveness, assess program
12 compliance and compliance with this section, make
13 recommendations to the Legislature, and examine other issues it
14 deems necessary. OEHHA shall make the report publicly available
15 on its Internet Web site.